

JAN 04 2000

**FEDERAL ELECTION COMMISSION**  
999 E Street, N.W.  
Washington, D.C. 20463

**SENSITIVE**

**FIRST GENERAL COUNSEL'S REPORT**

RAD REFERRAL: 99NF-18  
DATE ACTIVATED: August 26, 1999

EXPIRATION OF STATUTE OF  
LIMITATIONS: July 31, 2002<sup>1</sup>  
STAFF MEMBER: Tracey Robinson

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Mississippi Democratic Party Political Action Committee and  
Jodie Robinson, as Treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A)(i), (iii) & (iv).

INTERNAL REPORTS CHECKED: Disclosure Reports  
Referral Material

FEDERAL AGENCIES CHECKED: None

**I. GENERATION OF MATTER**

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD") on August 5, 1999. RAD referred the Mississippi Democratic Party Political Action Committee and Jodie Robinson, as treasurer ("Committee"), for failure to timely file the 1997 Mid-Year Report, 1998 April Quarterly Report, 1998 July Quarterly Report, 1998 October Quarterly Report and the 1998 30-Day Post-General Report.<sup>2</sup>

<sup>1</sup> The statute of limitations date for the earliest violative activity in this matter is July 31, 2002 for the Committee's first report which it failed to timely file by its July 31, 1997 due date. The statute of limitations date for the last report filed is December 3, 2003, for the report it failed to timely file by December 3, 1998.

<sup>2</sup> The Committee was the subject of MUR 3800, in which the Commission found probable cause to believe that the Committee failed to file six (6) reports timely and for failure to notify the Commission of a change in treasurer. The Commission entered into a conciliation agreement with the Committee, which paid a civil penalty of \$15,000.

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FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

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## II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, this Office recommends the Commission find reason to believe the respondents violated 2 U.S.C. § 434(a)(4)(A)(i), (iii) & (iv). See Attachment 1.

## III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

This Office also recommends that the Commission offer to enter into conciliation with the respondents prior to a finding of probable cause to believe. Attached for the Commission's approval is a proposed conciliation agreement. See Attachment 2.

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The Committee was also the subject of MUR 4420, in which the Commission found reason to believe that the Committee failed to file the 1995 Mid-Year Report on time. The Commission entered into preprobable cause conciliation and the matter was resolved with the Committee paying a civil penalty of \$4,300.

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IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe the Mississippi Democratic Party Political Action Committee and Jodie Robinson, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (iii) and (iv), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis and conciliation agreement, and the appropriate letter.

Lawrence M. Noble  
General Counsel

1/4/00  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement



# FEDERAL ELECTION COMMISSION

Washington, DC 20463

## MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: January 5, 2000

SUBJECT: 99NF-18- First General Counsel's Report.

The attached is submitted as an Agenda document for the Commission Meeting of \_\_\_\_\_

Open Session \_\_\_\_\_

Closed Session \_\_\_\_\_

### CIRCULATIONS

SENSITIVE

☒

NON-SENSITIVE

☐

72 Hour TALLY VOTE ☐

24 Hour TALLY VOTE ☐

24 Hour NO OBJECTION ☐

INFORMATION ☐

96 hour Tally Vote ☒

### DISTRIBUTION

COMPLIANCE

☒

Open/Closed Letters ☐

MUR ☐

DSP ☐

STATUS SHEETS ☐

Enforcement ☐

Litigation ☐

PFESP ☐

RATING SHEETS ☐

AUDIT MATTERS ☐

LITIGATION ☐

ADVISORY OPINIONS ☐

REGULATIONS ☐

OTHER ☐



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

MEMORANDUM

TO: Lawrence M. Noble  
General Counsel

FROM: Mary W. Dove/Lisa R. Davis  
Acting Commission Secretary

DATE: January 11, 2000

SUBJECT: RAD Referral #99NF-18 - First General Counsel's Report  
dated January 4, 2000.

The above-captioned document was circulated to the Commission  
on Wednesday, January 5, 2000.

Objection(s) have been received from the Commissioner(s) as  
indicated by the name(s) checked below:

Commissioner Elliott	—
Commissioner Mason	—
Commissioner McDonald	<u>XXX</u>
Commissioner Sandstrom	—
Commissioner Thomas	—
Commissioner Wold	—

This matter will be placed on the meeting agenda for

Tuesday, January 25, 2000.

Please notify us who will represent your Division before the Commission on this  
matter.